

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS.)
)
YOUNG HO KIM,)
)
Defendant.)
_____)

MAGIS. NO. 08-182 KSC
CRIMINAL COMPLAINT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 24 2008

at _____ o'clock and 12 min. 5 M.
SUE BEITIA, CLERK

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about March 21, 2008, in Honolulu County, in the District of Hawaii, the above-named defendant knowingly and intentionally possessed with the intent to distribute fifty (50) grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance,

In violation of Title 21, United States Code, Sections 952, 841(a)(1), and 841(b)(1)(B).

I further state that I am a DEA Special Agent and that this Complaint is based upon the facts set forth in the attached "Affidavit in Support of Criminal Complaint", which is incorporated herein by reference.

Sworn to before me and
subscribed in my presence,
this 21st day of March
2008, at Honolulu, Hawaii.

Brenda G. McDonough
BRENDA G. MCDONOUGH
COMPLAINANT

Kevin S.C. Chang
KEVIN S.C. Chang
United States Magistrate Judge

SCANNED

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Brenda G. McDonough, after being duly sworn, deposes and states as follows:

1. I am a Special Agent with the Drug Enforcement Administration (DEA). I am currently assigned to the Honolulu District Office

2. On March 21, 2008, YOUNG HO KIM traveled from Seoul, South Korea to Tokyo, Japan and on to Honolulu, Hawaii. After arriving at the Honolulu International Airport and retrieving his luggage, KIM entered the primary immigrations and customs inspection area for routine inspection. KIM was referred to the secondary inspection area for routine baggage examination. Upon conducting routine baggage examination, Customs and Border Protection (CBP) inspectors observed live eels in KIM's luggage. Transport of live seafood without a permit is illegal under federal law and subsequently resulted in further detailed examination of KIM's luggage.

3. During the inspection of KIM's luggage, Immigrations and Customs Enforcement (ICE) observed KIM acting in a nervous manner. ICE personnel became suspicious of the ice contained within a portable ice box, which had not melted during KIM's travels of over ten (10) hours. ICE personnel examining the ice cubes observed that their appearance was inconsistent with that of normal water based ice cubes. CBP inspectors and a DEA Special Agent tested the suspicious ice cubes for the presence of controlled substances, resulting in a

presumptive positive indication for the presence of methamphetamine.

FURTHER AFFIANT SAYETH NAUGHT.


BRENDA G. MCDONOUGH

This Criminal Complaint and Affidavit in support thereof were presented to, approved by, and probable cause to believe that defendant above-named committed the charged crime found to exist by the undersigned Judicial Officer at 4:40 p.m. on March 21, 2008.

Subscribed and Sworn to Before Me,
this 21st Day of March 2008.


KEVIN S.C. CHANG
United States Magistrate Judge